

TEWKSBURY ZONING BYLAW SUBCOMMITTEE

February 4, 2015

Call The Meeting to Order

David Plunkett called the meeting to order at 7:30 P.M. at the DPW Conference Room. Present at the meeting were Nancy Reed, Community Development Director Steven Sadwick and Recording Secretary Dawn Cathcart. Also in attendance was Planning Board member Vincent Fratalia and Building Commissioner Edward Johnson.

Mr. Plunkett stated that items 1-3 would be tabled.

(4) Eddies Way MFD Discussion

Arnie Martel and Dick Cuoco appeared for discussions on Eddies Way. Mr. Cuoco stated that currently there is approval for a residential subdivision. There are three lots out front that are zoned Heavy Industrial, the land out back is zoned R40, and this is adjacent to Farming and Heavy Industrial zones. They were able to have the CVOD added to all these parcels. These parcels consist of 9.7 acres and they are proposing adding four mid-rise apartment buildings. They will have four stories so they would need a waiver for the height which is allowed under Section 8689.2. There will be two buildings with 32 units that will be 56' in height and two buildings with 16 units that will be 51' in height.

Robert Fowler joined the meeting.

Mr. Cuoco stated that there are wetlands to the north, open space to the east and south. The only residential abutters are to the west side and that is where they will build the enclosed car ports since these are only one story. Mr. Martel stated that he will make this project look nice. He is planning on adding a stone wall with trees along the street and he will plant mature trees to provide coverage. Mr. Martel stated that the garages will be closest to the road and the apartment buildings will be about 120' back from the street at the closest point.

Mr. Cuoco stated that there needs to be a discussion on the fee in lieu of for the affordable apartments. There will be 65 covered spaces. The total parking spaces will be 208 (65 covered and 143 open). This gives 2.2 parking spaces/unit. The ITE only requires 1.23 parking spaces/unit. There will be 66 2-bedroom and 30 1-bedroom units for a total of 96 units. The size of the units will range from 750 SF for a 1-bedroom and 1,050 SF for a 2-bedroom.

Mr. Cuoco provided a memo addressing meeting the criteria for the CVOD, Section 8691. Mr. Cuoco stated that this section specifies criteria a-k and they believe they can meet each one.

Mr. Plunkett asked if this will tie into the rails and trails system. Mr. Martel replied yes. Mr. Plunkett asked what the ratio is for school age children. Mr. Cuoco stated that there are not a lot of children in condo/apartment projects. Mr. Martel stated that there will be no children in the 1 bedroom apartments. Mr. Cuoco stated that they would like to get a feel for the opinion of the Board with the requested waivers.

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Mrs. Reed stated that she would be agreeable to the waivers but her biggest concern is not including the affordable units and requesting fee in lieu of instead. Mrs. Reed stated that we need to figure out how to bridge the gap. Mr. Sadwick suggested a meeting with the Tewksbury Housing Authority. Mrs. Reed stated that there has been \$40,000 already allocated for a consultant for affordable housing and there is a possibility of getting additional funds from the affordable housing trust fund.

Mr. Fowler stated that he is pleased with the plan.

Mr. Martel stated that he plans on keeping this project in the family to provide a revenue stream.

Mr. Fratalia asked how far from East Street will the garages be. Mr. Martel replied about 1,000'. Mr. Martel added that he has spoken with representatives from the Tewksbury State Hospital and they are all set with the project.

Mr. Cuoco added that the carriage house style car ports were inspired by the milk barn at the Tewksbury State Hospital.

(5) 136 Marshall Street, Conceptual Plan Discussion

Jim Hanley, Marc Ginsburg, and Matt Ginsburg appeared for 136 Marshall Street. Mr. Hanley stated that this lot is zoned R40 and has 94,000 SF. They are looking to subdivide it into two lots only and have a t-turnaround. This would meet area requirements but they would like to reduce the private right of way from 40' to 25'. This is being requested so the existing house, which will remain, will not be put into non-conformance with a setback from the new right of way.

Mr. Fowler asked if the new house would have its own street or have a Marshall Street address. Mr. Ginsburg stated that where it is only one house, they would probably keep Marshall Street unless the Board would want something different. Mr. Fowler stated that a monument marker may be needed.

Mrs. Reed stated that she would be agreeable to the reduced right of way.

Mr. Fratalia asked if the abutters have been contacted. Mr. Ginsburg replied no yet, but they will be.

(1) Woburn Street Corridor Study

Mr. Sadwick stated in the Woburn Street area they could reduce the setback for the adult entertainment district from residential from 1,320' to 1,000'. Mr. Sadwick stated that it is so hard to change the zoning in this area because every change has to be looked at so not to interfere with the adult entertainment. Mr. Sadwick stated that in Section 6137, the setback is based on the district. Mr. Sadwick stated that we still need to look at this further.

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(2) Design Guidelines

Mr. Sadwick presented proposed changes to the Tewksbury Zoning Bylaw for Sections 2320, 8610, 8630, 8650, 8670, 8690, 2100, 4210, 5120, 8402 and Appendix B. Most of these changes are cleanup and clarification changes. Mrs. Reed stated that in Section 2320, change "...include a lot that's underlying..." to "...include a lot which the underlying..." In Appendix B, add HI1 to the table.

Mr. Johnson asked why in Section 8402, the Board would want to keep "(c) Garaging and Towing of Motor Vehicles. Mr. Fowler and Mrs. Reed agreed that is not the type of use wanted in the gateways to Tewksbury and "(c) Garaging and Town of Motor Vehicles" should be deleted.

MOTION - Mrs. Reed made a motion to submit the proposed changes to the Tewksbury Zoning Bylaw as amended to the Planning Board for submission on the warrant. The motion was seconded by Mr. Fowler and unanimously voted 3-0.

Mr. Plunkett left the meeting.

(3) Clarify Section 4240 and other Zoning Changes

Mr. Sadwick stated that the proposed changes to Section 4240 clarified what setbacks are to be used for a residential use in a Commercial or HI zone. There were two changes. Add "(HI1)" after "HI" in the first sentence. In the new proposed sentence, change "Industrial District" to "HI and HI1 Districts".

MOTION - Mr. Fowler made a motion to submit the proposed changes to Section 4240 as amended to the Planning Board for submission on the warrant. The motion was seconded by Mrs. Reed and unanimously voted 2-0.

Adjournment

MOTION - Mr. Fowler made a motion to adjourn at 8:55 PM. The motion was seconded by Mrs. Reed and unanimously voted 2-0.

Approved: 7/13/15

NO Documents provided to Committee Members.